

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05-CR-00103-RJC-DCK

USA

v.

JERMAL DANIELS

)
)
)
)
)
)

ORDER

THIS MATTER is before the Court upon motion of the defendant pro se again seeking to correct “clerical” mistakes in his presentence report (PSR) under Federal Rule of Criminal Procedure 36. (Doc. No. 532).

The defendant claims the United States Probation officer recorded incorrect drug quantities in the PSR. This Court rejected the same argument in 2014. (Doc. Nos. 463, 466: Motions; Doc. No. 467: Order). The alleged error in the PSR cannot fairly be described as “clerical,” but rather substantive, barring relief under Rule 36. United States v. Vanderhorst, 927 F.3d 824, 828 (4th Cir. 2019).

IT IS, THEREFORE, ORDERED that the defendant’s motion, (Doc. No. 532), is **DENIED**.

Signed: September 28, 2023



Robert J. Conrad, Jr.
United States District Judge

